

State of Arizona
House of Representatives
Forty-eighth Legislature
First Regular Session
2007

HOUSE CONCURRENT RESOLUTION 2039

A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE X, SECTIONS 3 AND 4, CONSTITUTION OF ARIZONA; RELATING TO DISPOSITION OF TRUST LAND; PROVIDING FOR CONDITIONAL ENACTMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Whereas, the Arizona Enabling Act and Constitution of Arizona have been
2 interpreted to limit the use and conveyance of state trust lands for the
3 protection of open space and for rights-of-way; and

4 Whereas, the purpose of this proposition is to resolve those issues by
5 providing opportunities for the protection of state trust lands that are
6 considered to be suitable for conservation and the conveyance of
7 rights-of-way on state trust lands, while preserving the mission of the state
8 land trust.

9 Therefore

10 Be it resolved by the House of Representatives of the State of Arizona, the
11 Senate concurring:

12 1. Article X, section 3, Constitution of Arizona, is proposed to be
13 amended as follows if approved by the voters and on proclamation of the
14 Governor:

15 3. Mortgage or other encumbrance of trust lands
16 prohibited; sale or lease at public auction;
17 exceptions

18 Section 3. A. No mortgage or other encumbrance of the
19 said lands, or any part thereof, shall be valid in favor of any
20 person or for any purpose or under any circumstances whatsoever.

21 B. Said lands shall not be sold or leased, in whole or in
22 part, except to the highest and best bidder at a public auction
23 to be held at the county seat of the county wherein the lands to
24 be affected, or the major portion thereof, shall lie. ~~THE~~
25 notice of ~~which public~~ THE auction ~~shall first have been duly~~
26 ~~given by advertisement, which~~ shall set forth the nature, time
27 and place of the transaction to be had, with a full description
28 of the lands to be offered, and be published once each week for
29 not less than ten successive weeks in a newspaper of general
30 circulation published regularly at the state capital, ~~and in~~
31 ~~that~~ A newspaper of ~~like~~ GENERAL circulation ~~which shall then be~~
32 regularly published nearest to the location of the lands so
33 offered. ~~nor shall any~~

34 C. NO sale or contract for the sale of any timber or
35 other natural product of such lands MAY be made, save at the
36 place, in the manner, and after the notice by publication
37 provided for sales and leases of the lands themselves.

38 D. Nothing ~~herein~~ IN THIS SECTION, or elsewhere in THIS
39 article ~~X contained~~, shall prevent:

40 1. The leasing of any of the lands referred to in this
41 article in such manner as the legislature may prescribe, for
42 grazing, agricultural, commercial and homesite purposes, for a
43 term of ten years or less, without advertisement. ~~nor~~

44 2. The leasing of any of said lands, in such manner as
45 the legislature may prescribe, whether or not also leased for

1 grazing and agricultural purposes, for mineral purposes, other
2 than for the exploration, development, and production of oil,
3 gas and other hydrocarbon substances, for a term of twenty years
4 or less, without advertisement. ~~, or,~~

5 3. The leasing of any of said lands, whether or not also
6 leased for other purposes, for the exploration, development, and
7 production of oil, gas and other hydrocarbon substances on, in
8 or under said lands for an initial term of twenty ~~(20)~~ years or
9 less and as long thereafter as oil, gas or other hydrocarbon
10 substance may be procured therefrom in paying quantities, the
11 leases to be made in any manner, with or without advertisement,
12 bidding, or appraisalment, and under such terms and provisions,
13 as the legislature may prescribe, the terms and provisions to
14 include a reservation of a royalty to the state of not less than
15 twelve and one-half per cent of production.

16 4. THROUGH DECEMBER 31, 2014, THE SALE OF LANDS THAT ARE
17 SUITABLE FOR CONSERVATION PURPOSES AND APPROVED BY THE QUALIFIED
18 ELECTORS, WITHOUT ADVERTISEMENT OR AUCTION, AT THEIR TRUE VALUE
19 DETERMINED BY APPRAISAL PURSUANT TO SECTION 4 OF THIS ARTICLE IN
20 A MANNER PRESCRIBED BY LAW. SALES OF LANDS UNDER THIS PARAGRAPH
21 ARE SUBJECT TO THE FOLLOWING CONDITIONS:

22 (a) ALL APPROVALS BY THE QUALIFIED ELECTORS REQUIRED BY
23 THIS PARAGRAPH MUST BE ACCOMPLISHED AT A STATEWIDE GENERAL
24 ELECTION HELD BEFORE JANUARY 1, 2009.

25 (b) THE CONSIDERATION FOR THE LANDS MAY INCLUDE MONETARY
26 AND NONMONETARY FORMS OF CONSIDERATION.

27 (c) THE TERMS OF PAYMENT FOR THE LANDS MUST BE
28 ESTABLISHED IN A WRITTEN PURCHASE AGREEMENT EXECUTED ON OR
29 BEFORE DECEMBER 31, 2014 FOR A TERM OF NOT MORE THAN TWENTY-FIVE
30 YEARS.

31 (d) UNLESS THE LANDS ARE CONVEYED TO THE UNITED STATES,
32 THE TERMS OF THE CONVEYANCE SHALL REQUIRE THAT THE LANDS ARE:

33 (i) USED IN A MANNER THAT IS CONSISTENT WITH
34 CONSERVATION.

35 (ii) SUBJECT TO REASONABLE PUBLIC ACCESS.

36 (e) FOR THE PURPOSES OF THIS PARAGRAPH:

37 (i) "CONSERVATION" MEANS RESTRICTING THE USE OF LAND
38 AGAINST DEVELOPMENT.

39 (ii) "DEVELOPMENT" MEANS BUILDINGS AND OTHER STRUCTURES
40 FOR RESIDENTIAL, AGRICULTURAL, COMMERCIAL OR PUBLIC USE BUT DOES
41 NOT INCLUDE BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS EXISTING
42 BEFORE NOVEMBER 4, 2008 OR FENCES, PATHS, TRAILS, TRAILHEADS,
43 ROADWAYS, UTILITY LINES AND ASSOCIATED FACILITIES, CANALS,
44 DRAINAGE IMPROVEMENTS, WELLS, SIGNAGE, RANGE IMPROVEMENTS,
45 HUNTING AND FISHING FACILITIES, COMMUNICATIONS FACILITIES,

1 RESEARCH OR MONITORING STATIONS AND ASSOCIATED EQUIPMENT OR, IN
2 ORDER TO FACILITATE REASONABLE PUBLIC ACCESS, PICNIC, CAMPING,
3 PARKING, SECURITY, COMFORT, MAINTENANCE AND SIMILAR FACILITIES.

4 5. THE DISPOSITION WITHOUT ADVERTISEMENT OR AUCTION OF
5 RIGHTS-OF-WAY ON, OVER AND ACROSS THE SAID LANDS, FOR ROADWAY,
6 DRAINAGE, FLOOD CONTROL OR UTILITY PURPOSES. THE CONSIDERATION
7 FOR THE DISPOSITION SHALL BE THE TRUE VALUE DETERMINED BY
8 APPRAISAL PURSUANT TO SECTION 4 OF THIS ARTICLE AND MAY INCLUDE
9 MONETARY AND NONMONETARY FORMS OF CONSIDERATION.

10 6. THE CONTINUATION OR RENEWAL OF ANY LEASE, RIGHT-OF-WAY
11 OR OTHER USE OF LANDS IN EXISTENCE AS OF THE DATE OF ANY GRANT
12 OF RIGHT-OF-WAY OR SALE IN A MANNER PRESCRIBED BY LAW.

13 E. FOR THE PURPOSES OF SUBSECTION D OF THIS SECTION,
14 "NONMONETARY" MEANS FORMS OF CONSIDERATION HAVING TANGIBLE VALUE
15 THAT CAN BE DEMONSTRATED BY APPRAISAL AS PRESCRIBED BY LAW.

16 2. Article X, section 4, Constitution of Arizona, is proposed to be
17 amended as follows if approved by the voters and on proclamation of the
18 Governor:

19 4. Sale or other disposal of trust lands; appraisal;
20 minimum price; credit; passing of title

21 Section 4. A. All lands, ~~lease-holds~~ LEASEHOLDS,
22 timber, and other products of land, before being offered, shall
23 be appraised at their true value. ~~, and~~ EXCEPT AS PROVIDED IN
24 THIS ARTICLE, no sale or other disposal thereof shall be made
25 for a consideration less than the value so ascertained, nor in
26 any case less than the minimum price hereinafter fixed, nor upon
27 credit unless accompanied by ample security, and the legal title
28 shall not be deemed to have passed until the consideration shall
29 have been paid.

30 B. SUBSECTION A OR ANY OTHER PROVISION OF THIS ARTICLE
31 SHALL NOT PREVENT THE GRANTING OF RIGHTS-OF-WAY TO FEDERAL OR
32 STATE GOVERNMENTAL ENTITIES OR TO COUNTIES, CITIES OR TOWNS FOR
33 PUBLIC ROADWAYS AND USES ASSOCIATED WITH PUBLIC ROADWAYS THAT
34 WERE ISSUED OVER SAID LANDS BEFORE JANUARY 1, 1968 AND
35 THEREAFTER USED OR MAINTAINED, WITHOUT FURTHER CONSIDERATION AND
36 IN A MANNER PRESCRIBED BY LAW.

37 3. Designation and disposition of lands that are suitable for
38 conservation; definition

39 A. Pursuant to article X, section 3, subsection D, paragraph 4,
40 Constitution of Arizona, as amended by this proposition, the state land
41 commissioner shall offer the following state trust lands for sale without
42 advertisement or auction, except as provided by paragraph 2, subdivision
43 (c)(ii) of this subsection, to the United States, this state or political
44 subdivisions of this state, or to other parties in the case of a cash sale
45 for monetary or nonmonetary consideration, as defined by article X, section

3, Constitution of Arizona, as amended by this proposition, in a manner prescribed by law. The sale is subject to the conditions prescribed by the Constitution of Arizona, except that the terms of payment for the lands must be established in a written purchase agreement on or before December 31, 2012. The lands subject to this subsection are:

1. Coconino county:

(a) Observatory Mesa

2,201 acres, more or less: Those lands held in trust by this state that are located within the areas described as follows: SECTION 12, T21N R6E; SECTION 18, T21N R7E; SECTIONS 6, 8, T21N R7E, COCONINO COUNTY.

(b) Walnut Canyon National Monument

2,714 acres, more or less: Those lands held in trust by this state that are located within the areas described as follows: SECTIONS 2, THAT PORTION OF SECTION 10 LYING NORTH AND EAST OF THE ARIZONA TRAIL, 22, 28, T21N R8E; SECTION 30, T21N R8E, COCONINO COUNTY.

2. Maricopa county:

(a) Continental Mountain

623 acres, more or less: Those lands held in trust by this state that are located within the areas described as follows: SECTION 2, T6N R4E, MARICOPA COUNTY.

(b) Lake Pleasant Recreation Area

4,503 acres, more or less: Those lands held in trust by this state that are located within the areas described as follows: SECTIONS 35, 36, T7N R1E; SECTIONS 1, 2, 11 AND N½ OF SECTION 12, N½ AND N½S½ OF SECTION 14, N½SE¼ OF SECTION 15 T6N R1E; SW¼ OF SECTION 30 EXCEPT FOR THE NE¼ SW¼, SECTION 31 EXCEPT FOR THE S½SE¼, T7N R2E; ALL IN MARICOPA COUNTY.

(c) McDowell Sonoran Preserve

(i) Reclassified:

14,469 acres, more or less: ALL SECTION 1 AND 2; N2, SE4 SECTION 11; ALL SECTION 12, TOWNSHIP 3 NORTH, RANGE 5 EAST; AND E2, N2NW4, SECTION 16, TOWNSHIP 4 NORTH, RANGE 5 EAST, 2762 ACRES, MARICOPA COUNTY, ARIZONA PER ORDER NO. 211-97/98 ON JANUARY 21,1998

LOT 1, NENE, SENE, E2SE, SECTION 1,157.10 ACRES; E2E2, SECTION 12, 160.00 ACRES, TOWNSHIP 4 NORTH, RANGE 5 EAST, MARICOPA COUNTY, ARIZONA PER ORDER NO. 303-99/00 ON MAY 17,2000

LOTS 2, THRU 4, SWNW, SECTION 1; LOTS 1 & 2 S2NE, M&B, THRU LOT 3, SENW, NESW, N2SE, SECTION 2, TOWNSHIP 4 NORTH, RANGE 5 EAST; LOTS 1 THRU 4, S2N2, S2, SECTION 1; LOTS 1 THRU 4, S2N2, S2, SECTION 2; LOTS 1 THRU 4, S2N2, S2, SECTION 3; LOTS 1 THRU 4, S2N2, S2, SECTION 4; LOT 1 & 2, S2NE, SE, M&B THRU LOTS 3, S2NW, SECTION 5; NE, N2SE, SESE, M&B THRU N2SW, SWSE, SECTION 8; ALL,

SECTIONS 9, 10, 11, 12, 13 & 14; N2, E2SW, N2SE, SWSE, SECTION 15; E2NE, E2SW, SE, M&B THRU W2NE, SENW, W2SW, SECTION 17; M&B THRU SESE, SECTION 18; SENE, N2SE, M&B THRU LOTS 3 & 4, NENE, W2NE, E2SW, S2SE, SECTION 19; ALL EXCEPT M&B IN SESE, SECTION 20; NWNE, NW, M&B THRU NENE, S2NE, N2SW, SWSW, SECTION 21; M&B THRU N2NW, SECTION 22; M&B THRU NE, SECTION 23; E2, N2NW, SWNW, SECTION 24; NE, E2NW, S2, SECTION 25; N2NW, SECTION 29; M&B THRU LOT 1, SECTION 30; E2, E2SW, SECTION 35, 11,390.76 ACRES, TOWNSHIP 5 NORTH, RANGE 5 EAST, MARICOPA COUNTY, ARIZONA PER ORDER NO. 078-2001/2002 ON AUGUST 30, 2001

(ii) Conditional:

1,630 acres, more or less: M&B THRU SE, SECTION 2, TOWNSHIP 4 NORTH, RANGE 4 EAST; M&B THRU NE, SENW, SW, NWSE, SECTION 36, TOWNSHIP 5 NORTH, RANGE 4 EAST; M&B THRU LOTS 3&4, E2SW, N2SE, SESE, SECTION 7; M&B THRU W2SW, SECTION 8; M&B THRU NWNE, NW, SECTION 17; M&B THRU LOTS 2 & 3, NE, SENW, SECTION 18; M&B THRU SESE, SECTION 20; W2SE, SESW, M&B THRU NENE, S2NE, N2SW, SWSW SECTION 21; SW, S2NW, M&B THRU N2NW, SECTION 22; W2, SE, M&B THRU NE, SECTION 23; M&B THRU LOT 4, SESW, SECTION 30; M&B THRU LOTS 1&2, SECTION 31, 1,630.00 ACRES, TOWNSHIP 5 NORTH, RANGE 5 EAST, MARICOPA COUNTY, ARIZONA PER ORDER NO. 078-2001/2002 ON AUGUST 30, 2001

The sale of this land, which was conditionally classified pursuant to law as suitable for conservation purposes, is subject to advertisement and auction. The conveyance of title to the land shall include a covenant running with the land limiting the use of the land to purposes consistent with conservation.

(d) Phoenix Sonoran Preserve

11,394 acres, more or less: Those lands held in trust by this state that are located within the areas described as follows: N $\frac{1}{2}$ AND SE $\frac{1}{4}$ OF SECTION 7, W $\frac{1}{2}$ OF SECTION 15, NW $\frac{1}{4}$ AND S $\frac{1}{2}$ OF SECTION 16, N $\frac{1}{2}$ NE $\frac{1}{4}$ OF SECTION 17, S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ AND S $\frac{1}{2}$ OF SECTION 19, SW $\frac{1}{4}$ SW $\frac{1}{4}$ OF SECTION 20, T5N R3E; W $\frac{1}{2}$ OF SECTION 29, T5N R2E; THOSE LANDS LOCATED WITHIN T4N R3E, T5N R2E, T5N R3E, T6N R2E, AND SECTIONS 6 AND 7 OF T5N R4E, MARICOPA COUNTY, THAT WERE CLASSIFIED AS SUITABLE FOR CONSERVATION PURPOSES BY THE STATE LAND COMMISSIONER AS OF JUNE 26, 2002, AS SUCH CLASSIFICATIONS WERE AMENDED BY ORDER NO. 361-2001/2002 ON JUNE 26, 2002, AND EXCEPTING THOSE LANDS DESIGNATED AS PERMANENT RESERVE LANDS PURSUANT TO THIS PARAGRAPH.

3. Mohave county:

(a) Kingman

526 acres, more or less: Those lands held in trust by this state that are located within the areas described as follows: SECTION 2 T21N R17W, MOHAVE COUNTY.

(b) Lake Havasu City

726 acres, more or less: Those lands held in trust by this state that are located within the areas described as follows: S½NE¼ AND SE¼ OF SECTION 32, T14N R19W; W½NW¼ AND SW¼ OF SECTION 4, T13N R19W; SW¼ OF SECTION 20, T14N R19W; N½NW¼ OF SECTION 13, N½NE¼ OF SECTION 14, T14N R20W; ALL IN MOHAVE COUNTY.

4. Pima county:

(a) Colossal Cave Mountain Park

5,523 acres, more or less: Those lands held in trust by this state that are located within the areas described as follows: N2 NW4 EXC MARSH STATION RD 73.92 AC SEC 35-16-17; N2 NE4 EXC MARSH STATION RD 79.54 AC SEC 34-16-17; NE4 160.00 AC SEC 26-16-17; SW4 NW4 & W2 SW4 107.51 AC SEC 26-16-17; ALL EXC RR R/WAYS & EXC HWY 594.54 AC SEC 27-16-17; NE4 & N2 SE4 EXC SPRR R/W 234.95 AC SEC 28-16-17; N2 NE4 EXC SPRR R/W 77.02 AC SEC 29-16-17; N2 N2 160.00 AC SEC 23-16-17; N2 NE4 80.00 AC SEC 21-16-17; S2 EXC RR R/WAY & HWY 297.96 AC SEC 21-16-17; W2 & S2 SE4 EXC RR R/WAY & EXC HWY 379.82 AC SEC 20-16-17; N2 & N2 S2 EXC SPRR R/W 472.90 AC SEC 19-16-17; NE4 NE4 & N2 SE4 NE4 & SE4 SE4 NE4 & E2 NE4 SA4 88.88 AC SEC 24-16-16; S2 320.00 AC SEC 13-16-17; N2 N2 160.00 AC SEC 13-16-17; S2 314.77 AC SEC 14-16-17; N2 N2 156.93 AC SEC 14-16-17; S2 S2 160.00 AC SEC 15-16-17; N2 320.00 AC SEC 15-16-17; S2 320.00 AC SEC 16-16-17; NE4 160.00 AC SEC 17-16-17; SW4 160.00 AC SEC 17-16-17; SE4 SE4 40.00 AC SEC 18-16-17; NE4 SE4 EXC SE4 THEREOF 30.00 AC SEC 13-16-16; N2 SW4 SE4 20.00 AC SEC 13-16-16; S2 320.00 AC SEC 12-16-17; S2 320.00 AC SEC 11-16-17; SE4 160.00 AC SEC 10-16-17

(b) Rincon Valley

3,000 acres, more or less: Those lands held in trust by this state that are located within the areas described as follows: LOT2 SEC7 T15S R17E; E2 SW4&SE4 SEC7 T15S R17E; NE4 NW4 & W2 E2 & SE4 SE4 & E2 SW4 & LOT 4 SEC 18 T15S R17E; S2 SEC17 T15S R17E; SEC20 T15S R17E; SE4 NW4 & S2 NE4 & SE4 & E2 SW4 & LOT 4 SEC 19 T15S R17E; SE4 SE4 SEC 24 T15S R16E; S2 SEC 32 T15S R17E; SE4 SEC 31 T15S R17E; LOTS 3 & 4 & S2 NW4 SEC 5 T16S R17E; SEC 6 T16S R17E; ALL LYG N & WLY OF COLOSSAL CAVE RD SEC7 T16S R17E; ALL LYG SLY OF COLOSSAL CAVE RD EXC ANY PTN IN E2 SE4 SEC 7 T16S R17E.

1 (c) Tucson Mountain Park

2 166 acres, more or less: Those lands held in trust by this
3 state that are located within the areas described as
4 follows: SECTION 2, T14S R12E; SECTION 33, T14S R13E; SECTION
5 11, T15S R13E; ALL IN PIMA COUNTY.

6 (d) Tumamoc Hill

7 518 acres, more or less: Those lands held in trust by this
8 state that are located within the areas described as
9 follows: SECTIONS 9, 10, 15, 16, T14S R13E, PIMA COUNTY.

10 5. Yavapai County:

11 (a) Badger Peak

12 1,834 acres, more or less: Those lands held in trust by this
13 state that are located within the areas described as
14 follows: SECTIONS 1-3, 10, 11, T13N R2W, YAVAPAI COUNTY. (B)
15 PROVISIONAL RESERVE: SECTION 36, T14N R2W, YAVAPAI COUNTY.

16 (b) Glassford Hill

17 2,209 acres, more or less: Those lands held in trust by this
18 state that are located within the areas described as
19 follows: SECTION 8 EXCEPT FOR THE NE¼, SECTION 16 EXCEPT FOR
20 THE E½E½, SECTION 17, SE¼ OF SECTION 18, NE¼ OF SECTION 19, N¼
21 AND N¼SE¼ AND S¼S¼ OF SECTION 20, T14N R1W, ALL IN YAVAPAI
22 COUNTY.

23 B. Pursuant to article X, section 3, subsection D, paragraph 4,
24 Constitution of Arizona, as amended by this proposition, the state land
25 commissioner shall offer the following state trust lands for sale without
26 advertisement or auction to the United States, this state or political
27 subdivisions of this state, or to other parties in the case of a cash sale
28 for monetary or nonmonetary consideration, as defined by article X, section
29 3, Constitution of Arizona, as amended by this proposition, in a manner
30 prescribed by law. The sale is subject to the conditions prescribed by the
31 Constitution of Arizona, except that the terms of payment for the lands must
32 be established in a written purchase agreement on or before December 31,
33 2014. The lands subject to this subsection are:

34 1. Apache county:

35 (a) Little Colorado River

36 3,092 acres, more or less: Those lands held in trust by this
37 state that are located within the areas described as
38 follows: SECTIONS 13-18, T8N R28E, APACHE COUNTY.

39 (b) Lyman Lake State Park

40 204 acres, more or less: Those lands held in trust by this
41 state that are located within the areas described as
42 follows: N¼ OF SECTION 15, NE¼NE¼ OF SECTION 16, T11N R28E,
43 APACHE COUNTY.

2. Cochise County:

(a) Kartchner Caverns Corridor

4,571 acres, more or less: Those lands held in trust by this state that are located within the areas described as follows: SECTION 36, T18S R19E; SECTION 19, S½ OF SECTIONS 32 AND 33, T18S R20E; E1/2 OF SECTION 1, T19S R19E; S½ OF SECTION 2, SECTION 3, N½ OF SECTIONS 4 AND 6, N½ OF SECTIONS 11 AND 12, T19S R20E; S1/2 OF SECTION 6, N1/2 SECTION OF 7, T19S R21E; ALL IN COCHISE COUNTY.

(b) San Pedro Riparian National Conservation Area

1,934 acres, more or less: Those lands held in trust by this state that are located within the areas described as follows: W1/2 SECTION 26, SE1/4 SECTION 27 T21S R21E; SECTIONS 1,12,13 T22S R21E; ALL IN COCHISE COUNTY.

3. Coconino county:

(a) Rogers Lake

7,666 acres, more or less: Those lands held in trust by this state that are located within the areas described as follows: SECTION 6 T20NR7E; SECTIONS 2 EXCEPT W1/2NW1/4, 4, 5 EXCEPT N1/2SW1/4, 12, NE1/4 SECTION 36, T20NR6E; SECTIONS 21, W1/2 SECTION 22 EXCEPT NE1/4 NW1/4 AND SW1/4NE1/4 SECTION 22, 26, 27, 28, 31 EXCEPT SW1/4 AND SW1/2NW1/4; SECTION 32, 33 EXCEPT SW1/4, SECTION 34 T21NR6E ALL IN COCONINO COUNTY.

(b) Woody Ridge

1,542 acres, more or less: Those lands held in trust by this state that are located within the areas described as follows: SECTIONS 14, 22, 26 AND W1/2 SECTION 34, T20N R6E, COCONINO COUNTY.

4. Graham county:

Bureau of land management wilderness; Redfield Canyon

1,855 acres, more or less: Those lands held in trust by this state that are located within the areas described as follows: SECTION 36, T11S R19E; SECTIONS 19, 20, 29, 31, T11S R20E; ALL IN GRAHAM COUNTY.

5. LaPaz county:

Bureau of land management wilderness; Trigo, Eagletail, Harcuvar and Rawhide Mountains

1,391 acres, more or less: Those lands held in trust by this state that are located within the areas described as follows: SECTION 16, T10N R13W; SECTION 16, T8N R11W; SECTION 32, T2N R11W; ALL IN LA PAZ COUNTY.

6. Maricopa county:

(a) Agua Fria River

654 acres, more or less: Those lands held in trust by this state that are located within the areas described as follows:

- (b) Bureau of land management wilderness; Hummingbird Springs
1,755 acres, more or less: Those lands held in trust by this
state that are located within the areas described as
follows: SECTIONS 16, 32, T4N R8W, MARICOPA COUNTY.
- (c) Cave Creek Recreational Area
1,026 acres, more or less: Those lands held in trust by this
state that are located within the areas described as
follows: E½SE¼ OF SECTION 23, E½ OF SECTION 26, SECTION 36, T6N
R3E; SECTIONS 29, 32, T6N R4E, MARICOPA COUNTY.
- (d) Daisy Mountain
3,854 acres, more or less: Those lands held in trust by this
state that are located within the areas described as follows:
- (e) Rainbow Valley
_____ acres, more or less: Those lands held in trust by this
state that are located within the areas described as
follows: SECTION 13, T2S R1W; SECTION 2, T3S R1E; ALL IN
MARICOPA COUNTY.
- (f) Spur Cross Ranch Conservation Area
2,000 acres, more or less: Those lands held in trust by this
state that are located within the areas described as
follows: SECTION 1, SE¼ SECTION 2, T6N R3E; SECTION 4, S½NE¼
AND N½SE¼ OF SECTION 7, N½, N½NW¼SW¼, S½NW¼SW¼, SW¼SW¼ AND
NE¼SE¼ OF SECTION 8; N½, N½S½ AND S½S½ OF SECTION 9, SECTION
16 T6N R4E; ALL IN MARICOPA COUNTY.
- (g) White Tanks
7,969 acres, more or less: Those lands held in trust by this
state that are located within the areas described as
follows: SECTION 16, N½ OF SECTION 32, T2N R3W; SECTION 36, T4N
R4W; SECTION 31, T4N R3W; SECTIONS 1, 2, 11, 14, 23-26, 35, 36,
T3N R4W; SECTIONS 1, 2, T2N R3W; ALL IN MARICOPA COUNTY.
- (h) Wickenburg
4,060 acres, more or less: Those lands held in trust by this
state that are located within the areas described as
follows: SECTION 32, T7N R4W; THOSE LANDS LOCATED IN SECTIONS
7, 8, 16 AND 21 CLASSIFIED AS SUITABLE FOR CONSERVATION PURPOSES
BY THE STATE LAND COMMISSIONER PURSUANT TO ORDER NO. 184-
2001/2002 ON NOVEMBER 28, 2001, SECTIONS 24, 25, SECTION 26
EXCEPT FOR THE N½N½, SECTIONS 35, 36, T7N R5W; ALL IN MARICOPA
COUNTY.
7. Mohave county:
Buckhorn Mountain State Park
83 acres, more or less: Those lands held in trust by this state
that are located within the areas described as follows: SECTION
23, T13N R20W, MOHAVE COUNTY.

8. Navajo county:

Homolovi Ruins State Park

3,142 acres, more or less: Those lands held in trust by this state that are located within the areas described as follows: SECTION 8, W½ OF SECTION 10, SECTIONS 16, 22, T19N R16E; SE¼ OF SECTION 30, SECTIONS 32, 34, T20N R16E; ALL IN NAVAJO COUNTY.

9. Pima county:

(a) Catalina State Park

2,066 acres, more or less: Those lands held in trust by this state that are located within the areas described as follows: SECTION 2 EXCLUDING NW¼ SW¼ 284.27 AC SEC 1-11-14; W2 SEC 12-11-14 320.00 AC S2 SEC 11 320.00 AC SEC 11-11-14; ALL EXC SE4 SEC 14-11-14 600.00 AC; W2 W2 LESS E275' W1314.38' N653.78' 155.88 AC SEC 23-11-14; E2 SEC 22 320.00 AC SEC 22-11-14; E2 SW4 80.00 AC SEC 22-11-14.

(b) Cienega Creek

22,113 acres, more or less: Those lands held in trust by this state that are located within the areas described as follows: SECTION 2 LYG NELY OF SONOITA HI-WAY EXC OLD SONOITA HI-WAY 221.92 AC SEC 35-16-16; PT SEC LYG E OF SONOITA HWY SEC 2-17-16 304.42 AC ALL 512.18 AC SEC 1-17-16; PT E2 LYG E OF SONOITA HWY EXC S75' SEC 11-17-16; 145.78 AC PT LYG S OF MARSH STATION RD EXC I-10 566.83 AC SEC 36-16-16; LOTS 1 2 3 & 4 EXC RD 134.48 AC SEC 31-16-17; ALL EXC SAHUARITA RD 581.45 AC SEC 12-17-16; TRI PTN OF NE4 NE4 LYG E OF SONOITA HWY EXC N75' SEC 14-17-16; 2.00 AC ALL LYG NE OF SONOITA HWY EXC SAHUARITA RD & KLD HWY EXC IRRG PCL IN CENT PTN OF N2 474.85 AC SEC 13-17-16; ELY PT OF SEC LYG NE OF HWY SEC 24-17-16; 267.60 AC ELY PT OF SEC LYG E OF HWY EXC OLD HWY 87.08 AC SEC 25-17-16; ALL SEC 30 640.47 AC T17S R17E; NE4 NE4 40 AC SEC 31-17-17; ALL SEC 29 640.00 AC T17S R17E; ALL EXC NW4 NE4 600.00 AC SEC 28-17-17; W2 NW4 & S2 400.00 AC SEC 21-17-17; ALL SEC 17 640.00 AC T17S R17E; S2 & S2 NE4 400.00 AC SEC 34-16-18; ALL EXC RR R/WAYS & EXC 630' X 100' PCL IN SE4 SE4 581.14 AC SEC 3-17-18; ALL EXC RR R/WAYS & EXC HWY 578.12 AC SEC 4-17-18; ALL EXC HWY 582.45 AC SEC 5-17-18; ALL EXC RR R/WAY 577.87 AC SEC 8-17-18; SW4 NW4 & NW4 SW4 80 AC SEC 17-17-18; ALL EXC RR R/WAY & HWY 588.09 AC SEC 6-17-18; ALL EXC NW4 & EXC RR R/WAY 470.45 AC SEC 7-17-18; ALL SEC 18 666.44 AC SEC 18-17-18; LOTS 1 THRU 4 & SE4 NW4 & S2 NE4 & N2 SE4 EXC RR RD & HWY 300.59 AC SEC 1-17-17; ALL EXC N2 NE4 560.00 AC SEC 12-17-17; ALL SEC 13 640.00 AC T17S R17E; ALL EXC HWY 597.48 AC SEC 2-17-17 ; ALL SEC 11 640.00 AC T17S R17E; ALL SEC 14 640.00 AC T17S R17E; S2 S2 EXC HWY 149.67 AC SEC 34-16-17; ALL EXC HWY 618.20 AC SEC 3-17-17; ALL SEC 10 640.00

AC T17S R17E; ALL SEC 15 640.00 AC T17S R17E; SW4 SW4 40 AC SEC 28-16-17; ALL EXC RD & EXC N2 NE4 THEREOF 507.29 AC SEC 33-16-17; ALL SEC 4 637.86 AC T17S R17E; ALL SEC 9 640.00 AC T17S R17E ; N2 320.00 AC SEC 16-17-17; S2 320 AC SEC 29-16-17; ALL EXC HWY 590.92 AC SEC 32-16-17; ALL SEC 5 638.26 AC T17S R17E; ALL SEC 8 640.00 AC T17S R17E; ALL SEC 17 640.00 AC T17S R17E ; ALL SEC 20 640.00 AC T17S R17E; E2 E2 EXC N2 N2 THEREOF 120 AC SEC 30-16-17; E2 E2 EXC RD 147.51 AC SEC 31-16-17; LOTS 1 4 5 & SE4 NE4 & S2 465.58 AC SEC 16-17-17; E2 320.00 AC SEC 7-17-17; LOTS 3 & 4 & SE4 SW4 & SW4 SE4 & E2 SE4 239.59 AC SEC 19-17-17; LOTS 1 2 3 & E2 NW4 & NE4 & NE4 SE4 395.77 AC SEC 18-17-17; LOT 4 & PT LOT 3 LYG SE OF MARSH STATION RD 52.49 AC SEC 30-16-17; S2 LOT 1 & LOT 2 & LOT 3 LYG N OF HWY EXC EPSW RR R/W 83.85 AC SEC 30-16-17; PT LYG N OF MARSH STATION RD 11.68 AC SEC 36-16-16; TRI PTN OF SE4 SW4 LYG SE OF MARSH STATION RD 1.19 AC SEC 25-16-16; PTN N2 LYG SLY PF SPRR R/W EXC EPSWRR R/W & SW4 LYG NW OF MARSH STATION RD 458.22 AC SEC 25-16-16; NW4 SW4 & S2 OF NW4 EXC EP & SW RR R/WAY SEC 24-16-16; 106.23 AC E2 SE4 SEC 26-16-16; 80.00 AC NW4 & SW4 NE4 & E2 SW4 & SE4 EXC SPRR R/WAY SEC 23-16-16; 416.82 AC

(c) Saguaro National Park

2,679 acres, more or less: Those lands held in trust by this state that are located within the areas described as follows: SECTION 36, T12S R11E; SECTION 32, T12S R12E; SECTION 32 T13S R11E; SECTIONS 16, 28, 32, 33, T13S R12E; ALL IN PIMA COUNTY.

(d) Tortolita Biological Corridor and Tortolita Mountain Park

17,221 acres, more or less: Those lands held in trust by this state that are located within the areas described as follows: NE4 & E2 NW4 240 AC SEC 21-11-14; SW4 LYG E OF HWY LESS N45' 93.23 AC SEC 16-11-14; NE4 NW4 LYG E OF HWY & S OF GOLDER RANCH DR EXC S500' 13.31 AC SEC 16-11-14; SW4 LYG W OF HWY LESS N45' & EXC PT ADJ TO NW CORNER 47.41 AC SEC 16-11-14; NW4 LYG W OF & ADJ TO HWY LESS S45' & EXC 150' STRIP 21.09 AC SEC 16-11-14; E2 EXC SE4 SE4 & EXC PT NE4 ADJ TO NE CORNER 143.82 AC SEC 17-11-14; PT S2 SE4 SEC 8 & PT W2 W2 SEC 16 & PT E2 ADJ TO NE CORNER 188.91 AC SEC 17-11-14; PT E746.59' LYG ADJ TO NE CORNER 13.34 AC SEC 17-11-14; W2 SEC 17 320.00 AC SEC 17-11-14; E2 EXC PT ADJ TO SE CORNER 305.34 AC SEC 8-11-14; W2 SEC 8 320.00 AC SEC 8-11-14; E2 OF SEC 5 332.45 AC SEC 5-11-14; W2 SEC 331.48 AC SEC 5-11-14; LOTS 1 & 2 & E2 NW4 & NE4 318.96 AC SEC 18-11-14; ALL 639.40 AC SEC 7-11-14; ALL 656.80 AC SEC 6-11-14; NE4 160.00 AC SEC 13-11-13; NE4 640.00 AC SEC 12-11-13; ALL 655.60 AC SEC 1-11-13; NE4 640.00 AC SEC 11-11-13; ALL 658.28 AC SEC SEC 2-11-13; ALL 640.00 AC SEC 10-11-13; ALL

- 1 660.20 AC SEC 3-11-13; ALL 661.20 AC SEC 4-11-13; NE4 SEC
2 5-11-13 171.47 AC; ALL 640.00 AC SEC 16-11-13.
- 3 (e) Tortolita Fan
4 13,329 acres, more or less: Those lands held in trust by this
5 state that are located within the areas described as follows:
6 LOTS 1 2 3 & 4 SEC 4-11-11 220.16 AC; LOTS 1 2 3 & 4 SEC 3-11-11
7 219.72 AC; LOTS 1 2 3 & 4 SEC 2-11-11 210.32 AC; LOTS 1 2 3 & 4
8 SEC 1-11-11 213.24 AC; SEC 4 636.99 AC SEC 4-11-12; SEC 6 421.39
9 AC SEC 6-11-12; SEC 5 636.80 AC SEC 5-11-12; W2 EXC LOTS 3 & 4
10 THEREOF 240.00 AC SEC 3-11-12; SEC 12-11-11 640.00 AC; SEC
11 11-11-11 640.00 AC; SEC 13-11-11 640.00 AC; 624.72 AC SEC
12 18-11-12; SEC 17 640.00 AC SEC 17-11-12; PTNS OF N2 & W2 W2 SEC
13 10 299.51 AC SEC 16-11-12; PTNS SEC 15 ADJ TO W N & E LINES
14 231.33 AC SEC 15-11-12; PTNS OF E2 & N2 N2 & W2 W2 SEC 10 278.96
15 AC SEC 14-11-12; 625.08 AC SEC 19-11-12; SEC 34 EXC RD 633.94 AC
16 SEC 34-11-12; 640.00 AC SEC 20-11-12; W2 SEC 29 320.00 AC SEC
17 29-11-12; SEC 32 EXC RD & EXC SELY PT 430.65 AC; SEC 33 EXC RD &
18 EXC PT W2 SW4 ADJ TO W LINE 633.16 AC SEC 33-11-12; SEC 34 EXC
19 RD 633.94 AC SEC 34-11-12; SEC 35 EXC PTN OF E1485' & EXC RDS
20 462.66 AC SEC 35-11-12; ALL EXC N50' 633.93 AC SEC 2-12-12; ALL
21 EXC W2 NW4 & S2 SW4 & TANGERINE RD 475.34 AC SEC 4-12-12; N2 NE4
22 80.00 AC SEC 9-12-12; N2 N2 160.00 AC SEC 10-12-12; NE4 LYG NE
23 OF R R R-WAY 75.12 AC SEC 16-12-12; NE4 LYG SW OF HWY 40.72 AC
24 SEC 16-12-12; ALL EXC S3960' OF W3520' & RDS 302.07 AC SEC
25 32-11-13 (STATE LEASE 3080); ALL LOT 1 & LOT 2 EXC S600' 50.70
26 AC SEC 19-12-13; LOT 1 EXC RDS 32.11 AC SEC 4-12-13; N2 EXC SWLY
27 PTN LOTS 1 & 2 271.72 AC SEC 31-11-12; SEC 30 625.44 AC SEC
28 30-11-12; SEC 24-11-11 640.00 AC; SEC 23-11-11 640.00 AC; SEC
29 14-11-11 640.00 AC; SEC 10-11-11 640.00 AC; LOTS 1 2 3 & 4 SEC
30 4-11-11 220.16 AC; SEC 9-11-11 640.00 AC; S2 S2 W2 & E2 EXC N2
31 N2 THEREOF SEC 10 320.00 AC SEC 10-11-12; SEC 11 640.00 AC SEC
32 11-11-12; SEC 13 EXC E2 SE4 560.00 AC SEC 13-11-12; PCL IN NE
33 CORNER OF NE4 SEC 23 40.52 AC SEC 23-11-12; PCL IN NW PTN OF W2
34 14.32 AC SEC 24-11-12.
- 35 10. Pinal County:
36 (a) Apache Junction
37 1,499 acres, more or less: Those lands held in trust by this
38 state that are located within the areas described as
39 follows: SECTIONS 7-9, N½ OF SECTION 10, W½ OF SECTION 14
40 EXCEPT FOR THE E½NW¼, SECTIONS 23, 26, NE¼NE¼ OF SECTION 35, T1N
41 R8E, PINAL COUNTY.
- 42 (b) Gold Canyon
43 1,010 acres, more or less: Those lands held in trust by this
44 state that are located within the areas described as

- 1 follows: SECTION 29 EXCEPT FOR THE SW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ AND N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$
2 OF SECTION 30, T1N R9E, PINAL COUNTY.
- 3 (c) Oracle State Park
4 2,416 acres, more or less: Those lands held in trust by this
5 state that are located within the areas described as
6 follows: SECTIONS 16, 22, 27, 30, 31, 34, T9S R16E; E1/2 OF
7 SECTION 8 AND SECTION 9 T10S R15E; ALL IN PINAL COUNTY.
- 8 (d) Picacho Peak State Park
9 898 acres, more or less: Those lands held in trust by this
10 state that are located within the areas described as
11 follows: THOSE PORTIONS OF SECTION 10 LYING SOUTH OF INTERSTATE
12 HIGHWAY 10, AND SECTION 16 T9S R9E, PINAL COUNTY.
- 13 (e) San Tan Mountains Regional Park
14 601 acres, more or less: Those lands held in trust by this
15 state that are located within the areas described as
16 follows: SECTIONS 10, 15, T3S R7E, PINAL COUNTY.
- 17 (f) Superstition Mountains
18 16,767 acres, more or less: Those lands held in trust by this
19 state that are located within the areas described as
20 follows: SECTIONS 31-36, T1N R10E; SECTIONS 1-6, N $\frac{1}{2}$ OF SECTION
21 8, SECTIONS 9-16, 21-23, 27, E $\frac{1}{2}$ OF SECTION 28, NE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION
22 33, NW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 34, T1S R10E; N $\frac{1}{2}$ OF SECTION 34, SECTIONS
23 35, 36, T1N R9E, PINAL COUNTY.
- 24 11. Santa Cruz County:
25 Patagonia Lake State Park
26 3,072 acres, more or less: Those lands held in trust by this
27 state that are located within the areas described as
28 follows: THOSE STATE TRUST LANDS SURROUNDING PATAGONIA LAKE
29 STATE PARK, LYING WITHIN THE LUIS MARIA BACA FLOAT #3 AND THE
30 SAN JOSE DE SONOITA LAND GRANTS, ALL IN SANTA CRUZ COUNTY.
- 31 12. Yavapai County:
32 (a) Bureau of land management wilderness; Arrestra Mountain
33 1,281 acres, more or less: Those lands held in trust by this
34 state that are located within the areas described as
35 follows: SECTION 2, T11N R10W; SECTION 16, T11N R9W; N $\frac{1}{2}$ AND
36 NW $\frac{1}{4}$ SW $\frac{1}{4}$ OF SECTION 14, SECTION 29, T9N R3W; ALL IN YAVAPAI
37 COUNTY.
- 38 (b) Middle Verde
39 1,183 acres, more or less: Those lands held in trust by this
40 state that are located within the areas described as
41 follows: E $\frac{1}{2}$ E $\frac{1}{2}$ OF SECTION 2, T14N R4E; NW $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 32,
42 T14N R5E; E $\frac{1}{2}$ NE $\frac{1}{4}$ AND N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 32, T15N R4E; SECTION 7,
43 SECTION 16 EXCEPT FOR THE W $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ OF SECTION 18, T16N R4E;
44 ALL IN YAVAPAI COUNTY.
- 45 (c) Verde Headwaters

6,319 acres, more or less: Those lands held in trust by this state that are located within the areas described as follows: SECTIONS 5,6 AND 7, T17N R1W; SECTIONS 1, 3, 10, SECTION 11 EXCEPT FOR THE W½NE¼SW¼ AND E½W½SE¼, SECTIONS 12, 14, 23, T17N R2W; SECTIONS 30, 31 AND 32, T18N R1W; SECTION 36, T18N R2W; ALL IN YAVAPAI COUNTY.

13. Yuma County:

Bureau of land management wilderness; Eagletail Mountains

2,120 acres, more or less: Those lands held in trust by this state that are located within the areas described as follows: SECTIONS 1-5, T1S R11W, YUMA COUNTY.

C. The state land commissioner shall determine the actual legal boundaries of the parcels of land listed in this section to include minor adjustments as necessary to correct technical, clerical or survey errors.

4. Submission to voters; conditional enactment

A. The Secretary of State shall submit this proposition to the voters at the next general election as provided by article XXI, Constitution of Arizona.

B. This proposition is not effective unless both of the following occur:

1. This proposition is approved and ratified by the voters pursuant to subsection A of this section.

2. On or before December 31, 2010, the Arizona-New Mexico Enabling Act (Act of June 20, 1910; 36 Stat. 557) is amended by Congress and signed into law to authorize the amendment of the Constitution of Arizona as proposed by sections 1 and 2 of this proposition. On or before December 31, 2010, the state land commissioner shall notify the director of the legislative council in writing whether or not this condition occurred and the date the enabling act was amended.